

SUPREME COURT OF CALIFORNIA

**NOTICE OF
FORTHCOMING FILING**

The Supreme Court has indicated that the filing of a written opinion in the following case(s) is forthcoming. At the filing time designated below, the filed opinion(s) will be accessible at the judicial branch web site (www.courtinfo.ca.gov) and copies will be made available at the Supreme Court Clerk's Office.

[Generally, the description set out with regard to each case is reproduced from the original news release issued when review in the matter was granted, and is provided for the convenience of the public and the press. The description does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

PEOPLE v. KENNEDY (JERRY)

S037195 (Colusa County Superior Court – 19005)
Argued in San Francisco 5-03-05

This matter is an automatic appeal from a judgment of death

SCOTTSDALE INSURANCE v. MV TRANSPORTATION

S123766 (B150991; Los Angeles County Superior Court – BC231352)
Argued in Los Angeles 5-31-05

This case includes the following issue: Does an insurer have a right to reimbursement of defense fees if it reserved its right to seek such reimbursement, and fully defended and settled the action against the insured, and then sought declaratory relief and obtained a declaration that there was no duty to defend any of the claims? (See *Buss v. Superior Court* (1997) 16 Cal.4th 35.)

IN RE JOSIAH Z.

S125822 (F044121; Kern County Superior Court – JD097344 & JD097345)
Argued in San Francisco 5-25-05

This case includes the following issue: Does appellate counsel for a child in a juvenile dependency proceeding have the authority to seek dismissal of the appeal if counsel believes that dismissal of the appeal would be in the best interests of the child?

Opinion(s) in the above case(s) will be filed on:

Monday, July 25, 2005 at 10:00 a.m.
